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Dated: 12/22/03 Signature: Mae Pattison  
(Mae Pattison)

Docket No.: 300622010000  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Leonard KATZ et al.

Application No.: 10/647,196

Confirmation No.: 2860

Filed: August 21, 2003

Art Unit: 1645

For: RECOMBINANT CHALCOMYCIN  
POLYKETIDE SYNTHASE AND  
MODIFYING GENES

Examiner: Not Yet Assigned

**REQUEST FOR CORRECTED FILING RECEIPT**

Office of Initial Patent Examination's  
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P.O. Box 1450  
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Dear Sir:

Applicant hereby requests that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicant, a copy of which is attached hereto, has the following errors:

Under the FILING or 371 (c) DATE field, please replace "08/25/2003" with --08/21/2003--.

Under the Applicant(s) field, please replace "Zhihao Hu, Hayward, CA;" with --Zhihao Hu, Castro Valley, CA;--.

Enclosed is a copy of the marked-up Filing Receipt, a copy of Express Mail Label EV332780575US date stamped by U.S. Post Office on August 21, 2003, copy of the Utility Patent

PA-847934

Application Transmittal sent to the U.S. Patent & Trademark Office on August 21, 2003, and a Supplemental Application Data Sheet.

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 300622010000.

Dated: December 22, 2003

Respectfully submitted,

By 

Randolph Ted Apple

Registration No.: 36,429

MORRISON & FOERSTER LLP

755 Page Mill Road

Palo Alto, California 94304

(650) 813-5933

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/647,196	<del>08/25/2003</del> 08/21/2003	1645	893	300622010000	2	30	9

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CONFIRMATION NO. 2860

## FILING RECEIPT



\*OC000000011357279\*

Date Mailed: 11/25/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Leonard Katz, Oakland, CA;  
Ralph C. Reid, San Rafael, CA;  
~~Zhihao Hu, Hayward, CA;~~ Zhihao Hu, Castro Valley, CA;  
Andreas Schirmer, Hayward, CA;  
Shannon L. Ward, Pleasanton, CA;  
Christopher Reeves, Orinda, CA;

## Domestic Priority data as claimed by applicant

This appln claims benefit of 60/420,994 10/24/2002  
and claims benefit of 60/493,966 08/08/2003

## Foreign Applications

If Required, Foreign Filing License Granted: 11/25/2003

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

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**Title**

Recombinant chalconomycin polyketide synthase and modifying genes

**Preliminary Class**

435

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Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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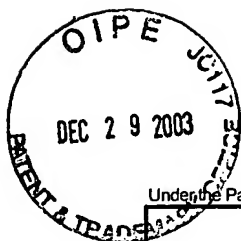
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PTO/SB/21 (08-03)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/647,196	
	Filing Date	August 21, 2003	
	First Named Inventor	Leonard KATZ	
	Art Unit	1645	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	11	Attorney Docket Number	300622010000

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Certified Copy of Priority Document(s)		3. Copy of Express Mail Label EV332780575US date stamped by U.S. Post Office on August 21, 2003 (1 page)
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		4. Copy of Utility Patent Application Transmittal sent to the U.S. Patent & Trademark Office on August 21, 2003 (1 page)
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		5. Supplemental Application Data Sheet (4 pages)
		6. Return postcard
<b>Remarks</b>		

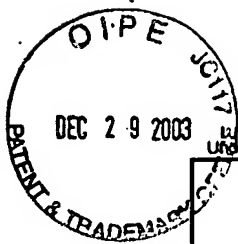
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Randolph Ted Apple - 36,429
Signature	
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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>		Attorney Docket No. <b>300622010000</b>	
		First Inventor <b>Leonard KATZ</b>	
		Title <b>RECOMBINANT CHALCOMYCIN POLYKETIDE SYNTHASE AND MODIFYING GENES</b>	
		Express Mail Label No. <b>EV 332780575 US</b>	
<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning utility patent application contents.</small>		<b>ADDRESS TO:</b> MS Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) + duplicate for fee processing (2 pages)</p> <p>2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification <span style="float: right;">[Total Pages <b>80</b>]</span> <small>(preferred arrangement set forth below)</small><ul style="list-style-type: none"><li>- Descriptive title of the invention</li><li>- Cross Reference to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to sequence listing, a table, or a computer program listing appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul></p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <span style="float: right;">[Total Sheets <b>2</b>]</span></p> <p>5. Oath or Declaration <span style="float: right;">[Total Sheets <b>    </b>]</span><ul style="list-style-type: none"><li>a. <input type="checkbox"/> Newly executed (original or copy)</li><li>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <small>(for continuation/divisional with Box 18 completed)</small></li><li>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small></li></ul></p> <p>6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 (4 pages)</p>		<p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)<ul style="list-style-type: none"><li>a. <input type="checkbox"/> Computer Readable Form (CRF)</li><li>b. Specification Sequence Listing on:<ul style="list-style-type: none"><li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li><li>ii. <input type="checkbox"/> Paper</li></ul></li><li>c. <input type="checkbox"/> Statements verifying identity of above copies</li></ul></p> <p><b>ACCOMPANYING APPLICATIONS PARTS</b></p> <p>9. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <small>(when there is an assignee)</small></p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement (IDS) PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <small>(Should be specifically itemized)</small></p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small></p> <p>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>17. <input type="checkbox"/> Other: <span style="border: 1px solid black; display: inline-block; width: 150px; height: 20px; vertical-align: middle;"></span></p>	
<p>18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:</p> <p><input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: _____</p> <p>Prior application information: Examiner _____ Art Unit: _____</p> <p>For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.</p>			
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